

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

PENNYMAC LOAN SERVICES, LLC

PLAINTIFF

V.

CIVIL ACTION NO. 2:19-cv-193-KS-MTP

**SITCOMM ARBITRATION ASSOCIATION,
MARK MOFFETT, SANDRA GOULETTE,
RONNIE KAHAPEA, MARK JOHNSON,
KIRK GIBBS, and ALARIC SCOTT**

DEFENDANTS

ORDER

This cause comes before the Court *sua sponte* on filings that were docketed on June 5, 2020. An envelope was delivered to the Clerk's Office on June 5, 2020, addressed to this Court, bearing this case number 2:19-cv-000193. The envelope contained a Motion to Dismiss [54], two affidavits [54-1], [54-2], and a third "Affidavit" that is also titled "We Do Not Consent to A Magistrate" [55]. These filings are not properly authorized filings and will be stricken.

All four of these documents are handwritten and bear the following names:

S/: Sandra Goulette
S/: Mark Moffett
S/: Sitcomm Arbitration Association
S/: Ronnie Kahapea
S/: Mark Johnson
S/: Kirk Gibbs
S/: Alaric Scott
S/: Brett "Eeon" Jones¹

The return address on the envelope states that it is from "Jones, Brett-BJ5840-OHU-120" from "CIM, Box 3100, Chino, CA 91710."² Thus, Brett Jones, whose "signature" is contained on the documents, appears to have submitted these documents for filing. However, Brett Jones is neither a named Defendant in this case nor authorized to file documents in this action.

¹ [54] does not contain a "signature" for Mark Moffett, and [55] does not contain a "signature" for Kirk Gibbs.

On February 19, 2020 Eeon f/k/a Brett Jones filed a Motion to Intervene.³ Such motion was denied by Order dated March 26, 2020 [50]. Accordingly, Brett Jones has not been made a party to this action, and thus, may not file documents in this Court. *See* [31] at p. 2.⁴ Brett Jones also does not appear to be a licensed attorney,⁵ let alone licensed to practice in this Court, and thus, he may not file documents on behalf of other Defendants even Sitcomm Arbitration Association (“Sitcomm”).⁶

Brett Jones is not authorized to file documents on behalf of Sitcomm for two reasons. First, Sitcomm is a defaulted party in this action via the Clerk’s Default entered on January 21, 2020 [23], and thus, Sitcomm may not file any documents until such default is lifted. Second, because Brett Jones is not licensed to practice law, at least not in this Court, he is not authorized, even as Sitcomm’s founder, to file documents on its behalf because a layperson may not represent a corporation, regardless of his relationship to the corporation.⁷ *See Donovan v. Road Rangers Country Junction, Inc.*, 736 F.2d 1004, 1005 (5th Cir.1984) (explaining that “a corporation as a fictional legal person can only be represented by licensed counsel”) and quoting *K.M.A., Inc. v. General Motors Acceptance Corp.*, 652 F.2d 398, 399 (5th Cir.1981)); *Southwest Exp. Co., Inc. v. I.C. C.*, 670 F.2d 53, 56 (5th Cir.1982) (“the only proper representative of a corporation or a partnership is a licensed attorney, not an unlicensed layman regardless of how close his association with the partnership or corporation”).⁸

² The numbers and letters following the name Jones, Brett are somewhat illegible.

³ The address at the top of the Motion to Intervene states “Eeon fka Brett Jones CDCR #BJ5840, P.O. Box 600 Facility A, Chino, California 91708.”

⁴ Brett Jones, as Eeon fka Brett Jones, filed two other motions, which the Court denied in its Order dated February 4, 2020 because he is not a named party and thus had no standing to file motions or a counterclaim. [31].

⁵ It appears from his address and CDCR# that he is currently incarcerated with the California Department of Corrections.

⁶ In one of the filed Affidavits [54-1], the signature line reads “S/: Sitcomm Arbitration founder Brett “Eeon” Jones.”

⁷ Plaintiff has alleged that Sitcomm Arbitration Association is a trade name registered in the State of Wyoming to Innovated Holdings, Inc., with its principal place of business in Nevada. [1] at ¶ 7.

⁸ While the documents filed are motions and affidavits, the Fifth Circuit has affirmed even the striking of pleadings of unrepresented corporations. *See Torres v. Krueger*, 596 F. App’x 319, 321 (5th Cir. 2015).

Based on the foregoing, it is hereby ORDERED that CM/ECF Doc. Nos. [54], [54-1], [54-2], and [55] are hereby stricken from the record in this case. Brett Jones is advised that any further unauthorized filings in this Court either on his own behalf, on behalf of Sitcomm, or any of the other Defendants may subject him to sanctions under the Court's inherent authority. *See Iris Connex, LLC v. Dell, Inc.*, 235 F. Supp. 3d 826, 858 (E.D. Tex. 2017) (citing *Chambers v. NASCO, Inc.*, 501 U.S. 32, 44 (1991)). The Clerk of Court shall provide a copy of this Order to all pro se Defendants in this matter, as well as to Brett Jones at the address listed on the envelope associated with these filings.

SO ORDERED AND ADJUDGED this 8th day of June 2020.

s/ Keith Starrett
KEITH STARRETT
UNITED STATES DISTRICT JUDGE